

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
DOCKET NO. 5:14-cv-00049-MOC-DLH

THIS MATTER is before the court on the Plaintiff's Motion for Fees Under the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A) (#27), as amended (#29). Having reviewed the motion, supporting materials, and underlying favorable decision, the Court determines that Plaintiff should be awarded an attorney's fee under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), in the amount of \$6,500.00, an amount as to which the Commissioner has agreed.

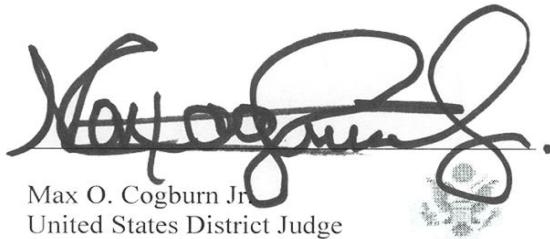
ORDER

IT IS ORDERED that the Plaintiff's Motion for Fees Under the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A) (#27) and amended (#29) is **GRANTED**, and Plaintiff is awarded attorney fees in the amount of \$6,500.00, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. ----, 130 S. Ct. 2521 (2010), such amount

is subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine within 30 days of this Order whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will pay the awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

Plaintiff is further awarded \$400.00 in costs payable by defendant from the Judgment Fund.

Signed: January 25, 2016



Max O. Cogburn Jr.
United States District Judge